



February 14, 2007

The Honorable Paul Condino,  
State Representative and  
Chair, House Judiciary Committee  
P.O. Box 30014  
Lansing, MI 48909-7514

Dear Chairman Condino,

On behalf of Takeda Pharmaceuticals North America, Inc. ("TPNA" or "Takeda"), I wish to thank you for allowing me to provide comments on House Bills 4044, 4045 and 4046. Today's comments focus primarily on HB 4044, which would repeal one of Michigan's key tort reform laws, the Food and Drug Administration (FDA) Defense law. However, the same arguments shared below lead us to oppose the other bills in the package; HB 4045 which allows for retroactive filing of lawsuits and HB 4046 which creates an additional cause of action against drug manufacturers under the Michigan Consumer Protection Act.

Takeda respectfully opposes these bills. Takeda agrees with other health groups, individuals, biotech and business organizations that support retaining the current law and process, which strikes an appropriate balance. It permits the FDA to do its job, but allows for punishment of companies that withhold valuable information and interfere with the drug approval process.

The FDA must balance the needs and hopes of patients waiting for new treatments against the need to ensure that the medicines being studied are safe and effective. Repealing Michigan's FDA defense law would imply that a drug researcher must know every possible risk before a drug can be available for patients. That is simply not possible and doing so could keep many lifesaving and life-improving medicines from ever being marketed because drug companies would fear being sued.

Takeda Pharmaceuticals North America, Inc. is a wholly owned U.S. subsidiary of Takeda Pharmaceutical Company Limited, Japan's largest pharmaceutical company. TPNA is dedicated to helping patients by providing products that improve their lives with better healthcare. We have an innovative, entrepreneurial spirit combined with the rich history of our 225-year-old parent company.

Takeda makes a substantial investment in the state's clinical trial research community. We believe investing in Michigan and its health sciences economy is not only good for Takeda, but good for the state of Michigan. It helps to ensure a healthy tomorrow for Michigan, its residents, Takeda and other research-based pharmaceutical manufacturers.

Again, Takeda urges you and the members of this committee to vote "NO" on House Bills 4044, 4045 and 4046. We don't believe there are any benefits to be gained for patients, the advancement of the life sciences or clinical research in Michigan. All prescription drugs have some risk associated with their use. Meaningful treatments are not without risk, but those risks and the benefits must be discussed and weighed between patients and their physicians.

Thank you for considering our views. Takeda respectfully asks that you provide copies of this letter to members of the House Judiciary Committee. We would welcome any questions or feedback. Please feel free to contact Takeda's Government Affairs Manager, Marilyn Vetter at (612) 839-0074 or (715) 246-9930, or Takeda's governmental affairs consultant, Jean Doss at (517) 999-3165.

Sincerely,

A handwritten signature in black ink that reads "Steve Kermisch" followed by a small, stylized monogram "mv".

Steve Kermisch  
Takeda Pharmaceuticals North America, Inc.  
Director, State Government Affairs



Partnering with our communities to improve healthcare in the U.S.

## MICHIGAN

2004 - 2005

- Helping patients get access to healthcare and building a healthy economy.
- More than **78** Michigan residents are directly employed by Takeda.
- More than **9,500** uninsured Michigan residents collectively received more than **\$5.4 million** worth of Takeda medicines either free or at a discounted price through Together Rx and our patient assistance program.
- Takeda paid more than **\$114,000** in corporate taxes to Michigan.
- Takeda spent more than **\$740,000** in support of clinical trials research, donations to voluntary health associations and charitable community organizations.
- Takeda rebated the state of Michigan more than **\$13 million** for its products prescribed to Medicaid patients over the last two years.



[www.tpna.com](http://www.tpna.com)

## CONTRIBUTING TO THE HEALTH OF INDIVIDUALS WORLDWIDE

Takeda Pharmaceuticals North America, Inc. is dedicated to helping patients by providing innovative products that improve their lives with better healthcare. TPNA is committed to patients, employees and community. We have an entrepreneurial spirit combined with the rich history of our 225-year-old parent company. TPNA is a wholly owned subsidiary of Takeda Pharmaceutical Company Limited, Japan's largest pharmaceutical company. Takeda's new drug pipeline is managed in the United States by Takeda Global Research & Development Center Inc.

Research & Development	Patient Assistance
<ul style="list-style-type: none"><li>• Diabetes</li><li>• Cardiovascular Disease</li><li>• Oncology</li><li>• Central Nervous System</li><li>• Gastroenterology</li></ul>	<p>Together Rx Access 1-800-444-4106 <a href="http://www.togetherrxaccess.com">www.togetherrxaccess.com</a></p> <p>Takeda Patient Assistance Program 1-800-830-9159 <a href="http://www.tpna.com">www.tpna.com</a></p>

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